



COUNCILMEMBER DONNA FRYE

City of San Diego
Sixth District

MEMORANDUM

DATE: October 4, 2007

TO: David Wescoe, SDCERS Retirement Administrator
Roxanne Story Parks, SDCERS Chief Compliance Officer
Elaine W. Reagan, SDCERS Associate General Counsel

FROM: Councilmember Donna Frye *Donna Frye*

SUBJECT: RE: Request for Documents

On September 10, 2007, I requested a number of documents related to the SDCERS IRS Voluntary Compliance (VCP) Submission (see attached.) I received an interim response from SDCERS Associate General Counsel, Elaine W. Reagan on September 20, 2007 stating that in compliance with Government Code Section 6253(c) I would receive copies of the requested documents by October 3, 2007 (see attached.)

You provided copies of the requested letters to the City Attorney instead of me, and I have been unable to obtain any of the corresponding exhibits and/or supplemental VCPs for some of those letters. I do not know if you provided them to the City Attorney, but given that the request for documents was from me, please provide them to me now as they were part of my original request to you on September 10, 2007. The letters are dated:

- June 7, 2006
- June 13, 2006
- August 31, 2006

In addition, please provide to me copies of the following letters from Ice Miller to the IRS including any and all supplemental VCP items associated with each letter, and copies of all attached exhibits:

- April 19, 2006
- May 8, 2006
- June 19, 2006
- June 22, 2006
- August 9, 2006

(Please note that one letter from the IRS makes specific reference to the TWO supplemental VCP items associated with it. Let me make this perfectly clear; I want all of the information. If there is more than one supplemental VCP filing associated with a letter please provide all of them.)

Thank you for your prompt response.

CC: Honorable City Council
Honorable Mayor Sanders
City Attorney, Michael Aguirre
Independent Budget Analyst, Andrea Tevlin
Stanley Keller, Independent Monitor
SDCERS Boardmembers

DF/ks



COUNCILMEMBER DONNA FRYE

City of San Diego
Sixth District

MEMORANDUM

DATE: September 10, 2007

TO: David Wescoe, SDCERS Retirement Administrator

FROM: Councilmember Donna Frye *Donna Frye*

SUBJECT: SDCERS IRS Voluntary Compliance (VCP) Submission

Please provide to me copies of the following letters from the IRS to SDCERS and/or Ice Miller:

Letter from IRS dated June 7, 2006
Letter from IRS dated June 13, 2006
Letter from IRS dated August 31, 2006
Letter from IRS dated February 13, 2007
Letter from IRS dated February 20, 2007

For your convenience, I have attached a March 14, 2007 letter from IceMiller to Mr. Paul Hogan, Internal Revenue Agent, wherein the letters referenced above are marked.

In addition to the above letters, please provide to me copies of correspondence (letters, e-mails or facsimilies) from the IRS regarding the matter of SDCERS VCP Submissions.

Thank you for your prompt response.

CC: Honorable City Council
Honorable Mayor Sanders
City Attorney, Michael Aguirre
Independent Budget Analyst, Andrea Tevlin
Stanley Keller, Independent Monitor

DF/ks



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COUNCILMEMBER
DONNA FRYE

Elaine W. Reagan
Associate General Counsel
(619) 525-3602
e-mail: sEReagan@sandiego.gov

September 20, 2007

SENT VIA FACSIMILE & U.S. MAIL

Councilmember Donna Frye
Sixth District
City Administration Building
202 C Street, 10th Floor
San Diego, CA 92101

Dear Councilmember Frye:

Subject: SDCERS IRS Voluntary Compliance Submission

Thank you for your September 10, 2007, memorandum to Retirement Administrator David Wescoe, requesting public records.

SDCERS is making a diligent search of its files and is preparing a response to your request for:

1. Letter from IRS dated June 7, 2006
2. Letter from IRS dated June 13, 2006
3. Letter from IRS dated August 31, 2006
4. Letter from IRS dated February 13 2007
5. Letter from IRS dated February 20, 2007
6. Copies of Correspondence (letters, e-mails or facsimiles) from the IRS regarding the matter of SDCERS VCP Submissions

Pursuant to Government Code section 6253(c), SDCERS is entitled, as necessary, to extend its response time by 14 days. SDCERS is extending the due date by 14 days to October 3, 2007.

Sincerely,

Elaine W. Reagan
Associate General Counsel

EWR/mrh

cc David B. Wescoe, Retirement Administrator
Christopher W. Waddell, General Counsel